

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CHRISTOPHER PIERCE,
Petitioner,

v.

CASE NO. 06-3355-SAC

KAREN ROHLING,
Respondent.

O R D E R

This action was filed by an inmate of the Larned Correctional Health Facility, Larned, Kansas, on forms for filing a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. 2254. Petitioner claims he was granted parole while confined in Oklahoma, and seeks an order releasing him from confinement. The court construes this action as a petition for writ of habeas corpus under 28 U.S.C. 2241 rather than under Section 2254.

Petitioner has also filed an Inmate Account Statement, which this court has treated as a Motion for Leave to Proceed in forma pauperis (Doc. 2). Having considered this document, the court finds Mr. Pierce is without adequate funds, and leave should be granted.

Having considered the allegations in the Petition and the one-page, attached exhibit, which is an incomplete Program Classification Review form with no apparent relevance to a claim of parole, the court finds no claim for federal habeas corpus relief is stated.

IT IS THEREFORE ORDERED that this action is treated as a petition for writ of habeas corpus under 28 U.S.C. 2241,

petitioner's Motion for Leave to Proceed in forma pauperis (Doc. 2) is granted, and this action is dismissed and all relief denied for failure to state a claim for federal habeas corpus relief.

IT IS SO ORDERED.

Dated this 5th day of January, 2007, at Topeka, Kansas.

s/Sam A. Crow

U. S. Senior District Judge